

DRAFT Febuary 06, 2002

Memorandum of Understanding Between the Suquamish Tribe and Region V Division of Children and Family Services

Introduction

The Suquamish Tribe has approximately 1100 members. The Tribe is federally recognized and has exclusive jurisdiction. The Tribe investigates all CPS referrals of Suquamish Tribal members living on Tribal lands. The Tribe has a long history of working in partnership with The Division of Children and Family Services (DCFS). The Suquamish Tribe Indian Child Welfare Program has a Director, and two Social Workers. The Tribe serves approximately thirty-five families consisting of approximately eighty children. The majority of children live with their families or with relatives. When placement other than with family is required, the Tribe uses foster homes licensed by DCFS.

Purpose of Written Agreement

The Suquamish Tribe of Indians and DCFS are committed to maintaining a mutually supportive working relationship. Historically, the Suquamish Tribe and DCFS have worked closely in providing supportive services to Suquamish Tribal Members residing on the Suquamish Reservation as well as those members residing in Pierce and Kitsap counties.

Both DCFS and the Tribe reaffirm ongoing efforts to ensure compliance with the requirements of the Federal Indian Child Welfare Act, which became law in 1978. DCFS acknowledges the sovereignty of the Suquamish Tribe of Indians and respects those laws enacted by the Tribal Council and the Tribal Court that govern its membership and those residing on the Suquamish Reservation.

The Tribe and DCFS have worked progressively towards a strong, trusting relationship. We agree to continue these strides. DCFS supports Exclusive Tribal Jurisdiction and Tribal regard for their most vested interest, their children.

The Suquamish Tribe and DCFS make a commitment to open communication and sharing of information with regard to accessing and making services available to Suquamish Tribal members.

Investigations of Child Abuse and Neglect within the Suquamish Reservation

1. The Suquamish Indian Child Welfare Program will investigate allegations of child abuse and neglect made concerning Suquamish Tribal members residing within the Suquamish Reservation, which includes Tribal Trust Lands.

2. When DCFS receives a referral of child abuse and neglect concerning a Suquamish Tribal member living within the Suquamish Reservation, CPS Intake will contact the Tribe by telephone and transmit the referral to Suquamish Tribe Children's Services as soon as possible normally within one working day. Referrals will be faxed to the Director of Indian Child Welfare (ICW), Suquamish ICW Program at fax number (360) 394-5316.
3. DCFS and Suquamish Indian Child Welfare Program will coordinate child abuse and neglect investigations of families living on the Suquamish Reservation who are comprised of both Suquamish members and non-members. DCFS will participate in the investigation as requested by the Tribe.
4. At the written request of the Director of the Suquamish Indian Child Welfare Program, DCFS will assign CPS referrals of Tribal members living within the Suquamish Reservation. These CPS referrals will be given to DCFS CPS intake for assignment and investigation. DCFS will assign these referrals to the DCFS ICW Unit when possible.
5. DCFS staff investigating referrals of child abuse and neglect within the boundaries of the Suquamish Reservation will notify the Director of ICW prior to entering Tribal lands. The ICW Director's telephone number is (360) 394-3316. Due to the need for immediate response to referrals, leaving voice mail will be considered notification if the ICW Director is not available. The ICW Director can also be reached at pager # 360-613-2273. The ICW staff can also be reached through the program secretary at 360-394-5323.
6. For child abuse and neglect allegations investigated by DCFS on Tribal Trust land, DCFS will contact Tribal Police if law enforcement is necessary for protective issues or for placing children into protective custody.
7. If court intervention appears necessary for Suquamish children investigated by DCFS, DCFS will contact the Suquamish Indian Child Welfare Program and they will take over the investigation. If the Tribe requests DCFS will be available to testify in Tribal Court as a witness.

Investigation of Allegations of Child Abuse and Neglect for Suquamish Tribal members Residing Outside of the Suquamish Tribe Reservation

1. DCFS will investigate all allegations of child abuse and neglect concerning Suquamish Tribal members who reside outside of the Suquamish Reservation.
2. DCFS will notify the Suquamish Indian Child Welfare Director, as soon as possible normally within 24 hours after receiving a CPS referral on a Suquamish Tribal member living outside of the Reservation.
3. The Suquamish Tribe Indian Child Welfare Director and Suquamish Tribe Indian Child Welfare Program will consult with DCFS to assist in providing family centered services to Suquamish members. The Tribal staff will provide information on family members who may

assist the family or be a placement resource for the children. Tribal staff will identify services which may be helpful to families.

4. If dependency is necessary for Suquamish Tribal members living outside the boundaries of the Suquamish Reservation, DCFS staff will file dependency in Kitsap County Juvenile Court unless the Tribe requests jurisdiction.
5. DCFS will notify the Suquamish Tribal Attorney whenever DCFS files dependency on Suquamish Tribal members living outside of the Suquamish Reservation.
6. The Suquamish Tribal Attorney, will notify DCFS when the Tribe is requesting to transfer court jurisdiction from Kitsap County Juvenile Court to Suquamish Tribal Court. DCFS will in all cases support transfer of jurisdiction for dependencies of Suquamish member children to Suquamish Tribal Court.
7. The Suquamish Tribe will give DCFS a map identifying Suquamish Reservation boundaries and Tribal Trust land.
8. The Suquamish Tribe and DCFS agree that the safety of children is our highest priority. In cases of emergency, DCFS and the Tribe will take what measures are necessary to protect children. Case responsibility questions will be resolved on the next working day.

Problem Solving

Disputes and disagreements will be addressed in a timely manner. It is the expectation of the Tribe and DCFS that staff at all levels will inform their immediate supervisor of any unresolved issues. If supervisors are unable to resolve the conflict, a meeting will be scheduled with the Director of Suquamish Indian Child Welfare Program and the appropriate Area Administrator. If the conflict continues, the Director of Suquamish Indian Child Welfare Program may request a meeting with the DCFS Regional Administrator for resolution.

Modification of Agreement

The Suquamish Tribe or DCFS may request a modification of this agreement at any time. This agreement will be reviewed during the annual 7.01 planning process and updated as necessary.

Suquamish Tribe

DCFS Region V Regional Administrator

Date

Date